

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CR-7003-2024 (O&M)****Date of Decision : 04.09.2025**

Guru Nanak Public School, Mullanpur

... Petitioner

Versus

Dr. Prabhjit Singh and Others

... Respondents

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. H.S. Dhindsa, Advocate for the petitioner.

Mr. Rajesh Girdhar, Advocate for respondent Nos.1 to 3.

Mr. R.C. Gupta, Advocate for respondent Nos.4 and 5.

Mr. Gurinder Pal, Advocate for respondent No.6.

**ALKA SARIN, J. (Oral)**

1. Present revision petition has been filed challenging the order dated 09.09.2024 whereby the petitioner, who was held to be jointly and severally liable to pay the compensation amount by the Motor Accident Claims Tribunal, Sri Muktsar Sahib vide award dated 24.12.2010, has been asked to deposit 1/3<sup>rd</sup> of the compensation amount.

2. Learned counsel for the petitioner would contend that in the award dated 24.12.2010 the issue Nos.6 and 6A were :

*“6. Whether respondent No.1 was not holding valid and effective driving licence at the time of accident ?*

*6A Whether Prabhjit Singh was not holding valid and effective driving licence at the time of alleged accident, if so its effect ? OPR”*

3. The finding on the said issues were given against the Insurance Company i.e. respondent No.4 herein and in favour of respondent Nos.1 and 6 herein holding that the driver was holding a valid and effective driving licence. The Tribunal held the petitioner as well as respondent Nos.1 and 4 herein jointly and severally liable to pay the amount of compensation. Vide the impugned order the petitioner herein was directed to pay 1/3<sup>rd</sup> of the compensation amount being one of the respondents. Aggrieved by the same the present revision petition has been filed.

4. Learned counsel for the petitioner would contend that once the respondents were held jointly and severally liable to pay the amount of compensation and there was no violation of the insurance policy, it would be the Insurance Company which would be liable to pay the amount of compensation.

5. Learned counsel for respondent No.4 (Insurance Company) is not in a position to dispute the fact that once there is a finding that there was no violation of the insurance policy and the respondents have been held jointly and severally liable, the Insurance Company is liable to pay the amount.

6. In view of the above, the present revision petition is allowed and the impugned order dated 09.09.2024 stands set aside. The Executing Court is requested to dispose off the matter expeditiously in view of the law laid down by the Hon'ble Supreme Court in the case of **Periyammal (dead) through LRs & Ors. V/s V. Rajamani & Anr. [2025 (1) PLR 468]**.

7. Disposed off. Pending applications, if any, also stand disposed off.

04.09.2025  
jk

( ALKA SARIN )  
JUDGE

NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO